

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

FELIPE HERNANDEZ.,

Plaintiff,

v.

Case No. 8:23-cv-1302-TPB-JSS

DROP RUNNER, LLC. AND
ORALDO VEGA, JR.,

Defendants.

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ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on consideration of the report and recommendation of Julie S. Sneed, United States Magistrate Judge, entered on September 25, 2023. (Doc. 17). Judge Sneed recommends that Plaintiff's "Motion for Default Judgment" (Doc. 16) be granted in part and denied in part. Specifically, Judge Sneed recommends that default judgment be entered in favor of Plaintiff, and against Defendants, as to Count I in Plaintiff's Complaint (Doc. 1) and Plaintiff be awarded \$2,184.88 in damages. Judge Sneed further recommends that Plaintiff's request for costs be denied without prejudice, subject to Plaintiff's filing of a verified bill of costs with the Clerk of Court. No party has filed an objection, and the time to object has expired.

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject, or modify the magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1); *Camby v. Davis*, 718 F.2d

198, 199 (4th Cir. 1983); *Williams v. Wainwright*, 681 F.2d 732 (11th Cir. 1982). A district court must “make a de novo determination of those portions of the [report and recommendation] to which an objection is made.” 28 U.S.C. § 636(b)(1)(C). When no objection is filed, a court reviews the report and recommendation for clear error. *Macort v. Prem, Inc.*, 208 F. App’x 781, 784 (11th Cir. 2006); *Nettles v. Wainwright*, 677 F.2d 404, 409 (5th Cir. 1982).

Upon due consideration of the record, including Judge Sneed’s report and recommendation, the Court adopts the report and recommendation. Consequently, Plaintiff’s motion for default judgment is granted in part and denied in part.

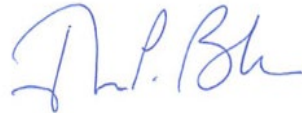
Accordingly, it is

ORDERED, ADJUDGED, and DECREED:

- (1) Judge Sneed’s report and recommendation (Doc. 17) is **AFFIRMED** and **ADOPTED** and **INCORPORATED BY REFERENCE** into this Order for all purposes, including appellate review.
- (2) Plaintiff’s “Motion for Default Judgment” (Doc. 16) is hereby **GRANTED IN PART** and **DENIED IN PART**.
- (3) The Clerk is directed to enter judgment in favor of Plaintiff and against Defendants, as to Count I in Plaintiff’s Complaint (Doc. 1) and Plaintiff be awarded \$2,184.88 in damages as described in the report and recommendation (Doc. 17).

- (4) Plaintiff's request for costs is denied without prejudice to any right Plaintiff may have to file a verified bill of costs with the Clerk of Court.

DONE and **ORDERED** in Chambers, in Tampa, Florida, this 11th day of October, 2023.

A handwritten signature in blue ink, appearing to read "T. P. Barber", is positioned above a horizontal line.

TOM BARBER
UNITED STATES DISTRICT JUDGE